

REMARKS

Claims 1-20 were pending in the case at the time of the Office Action. In the above amendments, claims 1, 11, and 16 are amended and claims 6 and 18 are cancelled. New claims 21-23 have been added.

Allowable Subject Matter

Claims 18-19 were objected to as being dependent upon a rejected base claim 16. Claim 18 is cancelled and claim 16 is amended to include the limitations of claim 18. As claim 16 now stands allowable, claims 17, 19, and 20 which depend from claim 16 are also now allowable.

New independent claim 21 combines the limitations of claims 16 and 19, so it should also be allowable. New claims 22 and 23 pend the limitations of claims 17 and 20, respectively, from new claim 21, so they should also be allowable.

Claim amendments and new claims

The preamble of claim 1 is amended to clarify that the retrofit assembly is to be used with an existing locker assembly having more than one door opening. Support for this amendment can be found in Fig. 1, as well as in paragraph 0015. Further, claim 1 is also amended to describe the "frame" element as being "for a door opening of the existing locker assembly" rather than the previously language of "adapted to fit with." Also, claim 1 does not recite the jamb's "base portion", by which it is attached to a wall portion of the existing locker assembly. Claim 11 is also amended in the same respect as claim 1.

As mentioned above, claim 16 has been amended to include the limitations of claim 18 and new independent claim 21 incorporates the limitations of claims 16 and 19.

No new matter has been added in any of the following amendments and new claims.

Drawing objections

The drawing objection is mooted by cancellation of claim 6.

Claim rejections under 35 USC 102

Claims 1-2, 4, 6-12, and 14-15 are rejected as anticipated by US Patent 5,372,415 to Tisbo ("Tisbo '415"). Applicant respectfully traverses.

Regarding claim 1, the preamble has been amended so that the workpiece for the retrofit assembly is an existing locker assembly having **more than one** door opening, rather than the previous language of "a door opening". Tisbo '415 discloses only a single locker, and does not teach a locker assembly for multiple lockers. Figure 1 shows one embodiment of the applicant's invention where multiple door openings (i.e. multiple lockers) are being retrofitted by the applicant's retrofit assembly. Note in the application that there are two frames, frame 20A and 20B shown in Figure 1, shown to be connected by the jamb 30, in order to retrofit more than one door opening of an existing locker assembly. Therefore, Tisbo '415 does not teach an assembly of multiple lockers.

Tisbo '415 does not show, as now required by claim 1, "a frame for a door opening of said existing locker assembly" where the frame comprises "a longitudinal edge portion" that defines "a tongue." The retrofit assembly also comprises "a jamb comprising a first prong and a second prong", wherein the "tongue of said frame is situated between said first prong and said second prong of said jamb." For this reason, claim 1 is now allowable, as are its proper dependent claims 2-5 and 7-10, claim 6 having been cancelled.

In a similar manner the preamble of claim 11 has been amended so that the workpiece for the retrofit assembly is an existing locker assembly having **more than one** door opening, rather than the previous language of "a door opening". Further, as now amended, claim 11 requires "a frame for a door opening of said existing locker assembly", said frame comprising "a bottom edge portion" defining "a groove". The retrofit assembly also comprises "a bottom panel having an edge portion defining a tongue, said tongue situated in said groove of said bottom edge portion of said frame." Tisbo '415 does not show these features, which are depicted in Figs. 4 and 5 of the application.

Claims 12-15 depend from claim 11 and are thus allowable as proper dependent claims thereof.

The anticipation rejections of claims 16 and 20 are mooted by the amendment to claim 16 described above regarding the allowable subject matter.

Claim rejections under 35 USC 103

Claims 3, 5, and 13 are rejected as obvious over Tisbo '415 in view of US Patent 5,564,806 to Keisling ("Keisling '806"). This rejection is mooted by the amendments to claims 1 and 11, as Tisbo '415 and Keisling '806, even together, do not provide all elements of claim 1 or 11.

The obviousness rejection of claim 17 combining Wolff '126 with Keisling '806 is mooted by the amendment to claim 16, again referring to the allowable subject matter indicated by the Examiner.

Conclusion

The Applicant respectfully submits that the present application is now in condition for allowance and such action is earnestly requested.

Respectfully submitted,

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